



LIQUOR & TOBACCO ADVISORY BOARD
Wednesday, February 18, 2015
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Minutes on Website: <http://rockfordil.gov/community-economic-development/construction-development-services/land-use-zoning/zoning-board-of-appeals.aspx>

Present:

LTAB Members: Alicia DiBenedetto-Neubauer
Melissa Luciani-Beckford
Scott Sanders
Craig Sockwell
Kimberly Wheeler-Johnsen

Absent: Thomas Fabiano
Dan Roszkowski

Staff: Todd Cagnoni – Director, Community & Economic Development
Scott Capovilla – Zoning and Land Use Administrator
Angela Hammer – Assistant City Attorney
Sandra Hawthorne - Administrative Assistant
Marcy Leach - – Engineering Operators Manager – Public Works
Tim Morris – Fire Department
Lafakeria Vaughn – Assistant City Attorney

Others: Kathy Berg - Stenographer
Applicants and Interested Parties

Sandra Hawthorne explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative are to come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name and address to the Liquor & Tobacco Advisory Board secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.

- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Monday, February 23, 2015 at 5:30 PM in City Council Chambers of this building as the second vote on these items. The public in attendance, applicants, objectors and interested parties were instructed that they could contact the Zoning Office for any further information and the phone number was listed on the top of the agenda which was made available to all those in attendance. The City's web site for minutes of this meeting is listed on the agenda as well.

The meeting was called to order at 6:10 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the minutes of the January 21 meeting with the following corrections: Add Scott Sanders to page 1, Attendance and the last item on page 8, should read CARRIED by a vote of 5-0. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0 with Dan Roszkowski and Tom Fabiano absent.

LAYOVERS

A **MOTION** was made by Kim Johnsen to **LAY OVER** the following items to the March 17, 2015 Liquor and Tobacco Advisory Board meeting. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

014-LTAB-017

Applicant
Ward 10

5410 and 5456 East State Street

Drinc, Inc., 4 Bar Restaurant d/b/a Drinc, Inc.

Sale of liquor by the drink in conjunction with a restaurant, bar and grill, nightclub and video gaming facility with an outdoor seating area in a C-2, Limited Commercial Zoning District.

Laid Over from June, July, August, September, October & November

014-LTAB-035

Applicant
Ward 10

262 North Phelps Avenue

Mary Maggio d/b/a Sam's Slots Inc.

Sale of beer and wine by the drink in conjunction with a video gaming facility in a C-3, General Commercial Zoning District.

Laid Over from September, October & November

014-LTAB-036

Applicant
Ward 10

280 North Phelps Avenue

Brandan T. Blackler d/b/a Maxswells Eatery & Slots

Sale of beer and wine by the drink in conjunction with an eatery and a video Gaming facility in a C-3, General Commercial Zoning District

Laid Over from September, October, & November

014-LTAB-037

Applicant
Ward 07

2515 Kilburn Avenue

Ampelio Delgado Martinez for El Carrizal Inc. d/b/a Fuzzy's

Sale of liquor by the drink in conjunction with a restaurant, bar, and video gaming facility with an outdoor beer garden in a C-2, Limited Commercial Zoning District

Laid Over from September, October & November

014-LTAB-038

Applicant
Ward 10

3806 East State Street, 3800 East State Street

Dan A. Olson for Olson Enterprises LLC d/b/a Olson Gaming

Sale of beer and wine by the drink in conjunction with a video gaming facility and bar in a C-2, Limited Commercial Zoning District

Laid Over from September, October & November

014-LTAB-039

Applicant
Ward 01

7551 Walton St, 172 S. Bell School Rd, 7521, 7531 & 7541 Walton St.

John Hassett for Premier Entertainment of Illinois LLC d/b/a Pinky's

Sale of liquor by the drink in conjunction with a video gaming facility and bar in a C-3, General Commercial Zoning District

Laid Over from September, October & November

End of Laid Over Items**014-LTAB-012**

Applicant
Ward 04

6551 East Riverside Boulevard

Bar Scorchy, Inc. d/b/a Bar Scorchy

Sale of liquor by the drink with a tavern/bar in a C-2, Limited Commercial Zoning District

Laid Over June 2014 – January 2015

Prior to the meeting, this application was **WITHDRAWN**. No further action will be taken on this item.

014-LTAB-056

Applicant
Ward 03

1630 Rural Street

Sunny Simon / 1630 Rural Inc. d/b/a Rural 66

Sale of packaged liquor in conjunction with a gas station, car wash and convenience store in a C-3, General Commercial Zoning District

Laid Over January 2015

The subject property is located on the northwest corner of the North Prospect Street and Rural Street intersection and is an existing gas station, car wash and convenience store with the sale of packaged liquor and tobacco products. The Applicant will be leasing this property and is required to apply for the sale of packaged liquor under his name. This application and the following application – 014-LTAB-001 - are for the same property and will be presented at the same time. Attorney Rob Torbert, representing the Applicant, and Sunny Simon, Applicant, were present. Attorney Torbert reviewed the Applicant's request. He stated that Mr. Simon is willing, without question, to go along with Staff suggested conditions numbers 1-8. However, 9, 10, and 11 regarding signage are not agreeable to the Applicant. Attorney Torbert stated the current signage was replaced in 2013. He feels it is unfair for his client to have to replace the sign that was just installed. This intersection has streets intersecting and he feels lowering the sign would reduce visibility of the sign. His client is willing to submit to approval of conditions 1-8. Attorney Torbert did not know if his client would proceed with the lease if a signage has to be brought up to code because Mr. Simon is leasing the property and would need to discuss with the owner of the property.

Mr. Sockwell asked if they installed the new sign without a permit? Mr. Capovilla verified that the new sign discussed was a change that only involved the gas price sign going from a manual sign to a computer changeable sign. Because the structure of the sign itself was not affect or changed, the existing sign structure did not have to be brought up to code in height. He further explained that under the circumstances of applications such as this one, Staff would recommending bringing existing signs into conformance.

Alicia stated she would be willing to extend the time frame to allow the applicant 9 months to bring the sign up to code. Mr. Sockwell agreed, stating he has certain areas of concerns such as East State, but in

this area there is a 5 way stop and a 30 mph speed limit and the sign would be easily visible if brought into compliance. Staff expressed they would be agreeable if the Board wished to extend the timeframe to install a new sign to meet code to 9 months.

Staff Recommendation is for Approval with (11) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the sale of packaged liquor in conjunction with a gas station, car wash and convenience store in the name of Sunny Simon / 1630 Rural Inc. d/b/a Rural 66 at 1630 Rural Street, with an amendment to condition 9 and 11, and the addition of condition 12. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meet all Applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. Window display signage is limited to 20% of window area.
4. The sale of packaged liquor shall be limited to the submitted plan Exhibit E.
5. The hours of operation and days will be 5:30 A.M. to 10:00 P.M. Monday through Sunday.
6. There shall be no single serving sales of beer or wine in volumes of 12 oz. or less.
7. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
8. That the windows shall not be covered with bars or other devices that block the windows.
9. That the freestanding sign shall be a landmark-style sign in accordance with the Sign Ordinance replacing the existing freestanding sign within 9 months of establishment of use.
10. Must obtain sign permit for new landmark-style free-standing sign.
11. Conditions 1-8 must be met prior to establishment of use.
12. Conditions 9 and 10 must be met within 9 months of establishment of use.

015-LTAB-001

Applicant
Ward 03

1630 Rural Street

Sunny Simon / 1630 Rural Inc. d/b/a Rural 66

Sale of tobacco products in conjunction with a gas station, car wash and convenience store in a C-3, General Commercial Zoning District

The subject property is located on the northwest corner of the North Prospect Street and Rural Street intersection and is an existing gas station, car wash and convenience store with the sale of packaged liquor and tobacco products. See item 015-LTAB-056 for discussion.

Staff Recommendation is for Approval with (11) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the sale of tobacco products in conjunction with a gas station, car wash and convenience store in the name of Sunny Simon / 1630 Rural Inc. d/b/a Rural 66 in a C-3, General Commercial Zoning District at 1630 Rural Street with modifications to conditions 9 and 11 and the addition of condition 12. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. Window display signage is limited to 20% of window area.
4. That the windows shall not be covered with bars or other devices that block the windows.
5. The sale of tobacco products shall be limited to the submitted plan Exhibit E.
6. The hours of operation and days will be 5:30 A.M. to 10:00 P.M. Monday through Sunday.,

7. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
8. The sale of water pipes and “huka” or “hookah” pipes are prohibited.
9. That the freestanding sign shall be a landmark-style sign in accordance with the Sign Ordinance replacing the existing freestanding sign within 9 months of establishment of use.
10. Must obtain sign permit for new landmark-style free-standing sign.
11. Conditions 1-8 must be met prior to establishment of use.
12. Conditions 9 and 10 must be met within 9 months of establishment of use.

015-LTAB-002

Applicant
Ward 03

325 North Church Street

Joyce Krumm of City Tobacco & More Inc. d/b/a 123 & More
Sale of tobacco products in conjunction with a general store in a C-4, Urban
Mixed-Use Zoning District

The subject property is located on the south east corner of the North Church Street and Park Avenue intersection. Joyce Krumm, Applicant, and Zachary Baker were present. Ms. Krumm stated she currently is the owner of the business at 311 Mulberry Street, and has recently expanded into 325 North Church Street. Ms. Krumm clarified that it is not her intent to make the 325 North Church business into a tobacco store – only to bring in “some” tobacco. Currently, lottery tickets are her largest volume of business. She hopes by adding tobacco sales this will encourage more revenue in other areas. Mr. Baker, owner of the property, stated he is taking problematic properties downtown and turning them into viable businesses. He further explained that prior to Ms. Krumm, there was a general store at this location and that one was problematic. People now feel comfortable enough that this is a safe area to shop. Ms. Krumm stated she has been in business for 7 years at the 311 Mulberry Street location and has never been cited for selling to minors or selling singles.

Legal had no questions of the Applicant. Ms. Krumm stated she has been in operation since October and anticipates tobacco sales to average 35%. Mr. Baker felt this number was misleading, stating Ms. Krumm sells other products. Craig Sockwell asked Ms. Krumm if she had any problems at the 311 Mulberry Street address. She stated she has probably been “hit” five times, but has not had any problems for 2-3 years now. They have developed a good rapport with a lot of people who walk the streets and feel that may account for the decrease in crimes. Mr. Baker stated since the prior owner left, there has been a decrease in problems.

Mr. Sanders stated signage and marketing have a big play on whether a store becomes a tobacco store and asked about signage advertising tobacco. Ms. Krumm stated she does not plan on advertising tobacco to that extent.

Staff Recommendation is for Denial. One Supporter was present.

Brad Schmidt, 505 North Main Street spoke in support of the Applicant’s request, stating this store allows the ability for area residents to get food, drink, and grocery items much closer to home. He stated some of the older or disabled residents in this area cannot travel or walk very far. He concluded by saying the vast improvements Ms. Krumm has made since she has been there has been phenomenal.

In response, Ms. Krumm stated she is trying to do something that is good for the City in that part of town.

Kim Johnsen felt a convenience store in this area is an excellent idea. There was discussion regarding prohibiting tobacco sale advertising on the windows. Mr. Capovilla stated recently the Board had an item before them that where they added a condition that the store could sell tobacco but not have advertising. He stated Staff would have no problem with adding such a condition but wants to have an actual floor plan and layout of the storing showing where tobacco for sale would be located. Ms. Krumm stated she is fine with this condition and added it was not her plan to put up tobacco signage. Scott Sanders expressed he was also in favor of adding this as a condition.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the sale of tobacco products in conjunction with a general store in the name of City Tobacco & More Inc. d/b/a 123 & More in a C-4, Urban Mixed-Use Zoning District at 325 North Church Street. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Tobacco Codes.
3. The sale of tobacco products shall be limited to the revised interior floor plan that will be submitted for Staff review and approval.
4. The hours of operation shall be 10:00 AM to 8:00 PM Monday through Saturday and closed on Sunday.
5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
6. That the windows shall not be covered with bars or other devices that block the window.
7. Window display signage is limited to 20% of window area.
8. No visible exterior advertising of tobacco products.
9. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
10. All conditions must be met prior to establishment of use.

015-LTAB-003

Applicant
Ward 08

4106 Harrison Avenue

GPM Midwest LLC d/b/a Road Ranger #5142

Sale of packaged liquor in conjunction with a gas station and convenience store
Sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

The subject property is located on the north side of Harrison Avenue and is currently a gas station with convenience store. The Applicant, GPM Midwest LLC, d/b/a Road Ranger has 6 identical items on the agenda this one and 015-LTAB-004; -005; -006; -007; and -008. They have purchased 6 Road Ranger businesses in Rockford and as a new owner must apply for liquor license and tobacco license. All (6) items will be discussed under this item.

Jeff Harris, Director of Convenience Store Operations for Road Ranger was present. He is representing GPM Midwest and will be transitioning his same position with the current operation to the new operation. All six locations currently sell tobacco products and alcohol. Mr. Harris stated that he is comfortable that he has had an opportunity to review all Staff conditions of approval and is agreeable. Mr. Capovilla explained that the City would like all the signs to come into conformance with the current sign application and this is one of the conditions of approval recommended.

Mr. Sockwell asked what other business names were owned by GPM Midwest. Mr. Harris stated Fast Mart & Village Pantry were a couple and explained that the GPM Midwest operations are based out of the east coast. They have approximately 400 locations now and are interested in venturing to the Midwest. He added that they may eventually change the name from Road Ranger within a year, but not certain what that name change would be.

Staff Recommendation is for Approval of packaged liquor and tobacco products sales subject to 12) conditions. One Interested Party was present.

Tim Sreenan, 3326 11th, owner of Sreenan Insurance located next door to this business was present. Mr. Sreenan stated he was not certain if he has an objection to this application, but wanted to know if there would be any video gaming involved. He stated currently this property has a lot of litter and people hanging around the lot. These vagrants panhandle and disturb his customers and he has just lost another one of his tenants because of these problems.

Mr. Harris stated some of the Road Rangers do have video gaming, but none of the Rockford Road Rangers do. There are certain conditions that may allow this at the other Road Rangers, but these do not qualify. He does not feel that there will be much of a change in operation. Attorney Hammer stated one of the qualifications is that the property be a truck stop, which none of these are.

After discussion, the Board decided to allow a 9 month time frame for the new landmark style sign and to add a condition that all other conditions be in effect prior to the establishment of use.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store and to **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in the name of GPM Midwest LLC d/b/a Road Ranger #1542 in a C-3, General Commercial Zoning District at 4106 Harrison Avenue with modification to condition 10 and the addition of condition 13. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building, fire, liquor and tobacco codes.
2. The sale of liquor and tobacco products shall be limited to the submitted interior floor plan Exhibit E.
3. The sale of liquor shall be restricted to the hours permitted by the Liquor Ordinance.
4. Inside signage of the convenience store cannot exceed more than 20% of the window surface.
5. Any window signage at the car wash shall only advertise car wash related items and the advertisement of liquor and tobacco in the window shall be prohibited.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
7. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
8. That the windows shall not be covered with bars or other devices that block the windows.
9. There shall be no single serving sales of beer or wine in volumes of 12 ounces or less.
10. Removal of the non-conforming free-standing sign and submittal of a sign permit for new landmark style sign to be completed within 9 months of establishment of use.
11. Maintenance of the landscaping area and the adjacent green area next to the residential uses must be free of debris/garbage.
12. Fencing in disrepair must be replaced and the dumpster enclosure must be replaced.
13. Condition 10 must be met within 9 months of establishment of use.
14. All other conditions must be met prior to establishment of use.

015-LTAB-004

Applicant
Ward 06

3302 11th Street

GPM Midwest LLC d/b/a Road Ranger #5222

Sale of packaged liquor in conjunction with a gas station and convenience store
Sale of tobacco products in conjunction with a gas station and convenience store in a C-3 General Commercial Zoning District

The subject property is located on the east side of 11th Street. This item was discussed as part of the six applications submitted by GPM Midwest LLC for the Road Ranger properties.

Staff Recommendation is for Approval with (12) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store and to **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in the name of GPM Midwest LLC d/b/a Road Ranger #5222 in a C-3, General Commercial Zoning District at 3302 11th Street with modification to addition 9 and added conditions 13 and 14. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote

of 5-0

Approval is subject to the following conditions:

1. Must meet all applicable building, fire, liquor and tobacco codes.
2. The sale of liquor and tobacco products shall be limited to the submitted interior floor plan Exhibit E.
3. The sale of liquor shall be restricted to the hours permitted by the Liquor Ordinance.
4. Inside signage cannot exceed more than 20% of the window surface.
5. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. That the windows shall not be covered with bars or other devices that block the windows.
8. That there shall be no single serving sales of beer and wine in volume of 12 ounces or less.
9. Removal of the non-conforming free-standing sign and submittal of a sign permit for new landmark style sign to be completed within 9 months of establishment of use.
10. Maintenance of the landscaping area and the adjacent green area next to the residential uses must be free of debris/garbage. Add additional shade trees along 11th Street to meet the Ordinance.
11. Fencing in disrepair must be replaced and the dumpster enclosure must be replaced.
12. Removal of salt bags with wooden pallets along the front yard on Lyran Avenue.
13. Condition 9 must be met within 9 months of establishment of use.
14. All other conditions must be met prior to establishment of use.

015-LTAB-005

Applicant
Ward 12

3429 North Main Street

GPM Midwest LLC d/b/a Road Ranger #5218

Sale of packaged liquor in conjunction with a gas station and convenience store
Sale of tobacco products in conjunction with a gas station and convenience store in a C-2, Limited Commercial Zoning District

The subject property is located on the east side of North Main Street. This item was discussed as part of the six applications submitted by GPM Midwest LLC for the Road Ranger properties.

Staff Recommendation is for Approval with (11) conditions. Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store and to **APPROVE** the sale of tobacco products in conjunction with gas station and convenience store in the name of GPM Midwest LLC d/b/a Road Ranger #5218 in a C-2, Limited Commercial Zoning District at 3429 North Main Street with modification to condition 9 and the addition of conditions 12 and 13. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 5-0

Approval is subject to the following conditions:

1. Must meet all applicable building, fire, liquor and tobacco codes.
2. The sale of liquor and tobacco products shall be limited to the submitted interior floor plan Exhibit E.
3. Exhibit E.
4. The sale of liquor shall be restricted to the hours permitted by the Liquor Ordinance.
5. Inside signage of the convenience store cannot exceed more than 20% of the window surface.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
7. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
8. That the windows shall not be covered with bars or other devices that block the windows.
9. There shall be no single serving sales of beer or wine in volumes of 12 ounces or less.
10. Removal of the non-conforming free-standing sign and submittal of a sign permit for new landmark style sign within 9 months of establishment of use.

11. Maintenance of the landscaping area and the adjacent green area next to the residential uses must be free of debris/garbage.
12. Fencing in disrepair must be replaced and the dumpster enclosure must be replaced.
13. Condition 9 must be met within 9 months of establishment of use.
14. All other conditions must be met prior to establishment of use.

015-LTAB-006

Applicant
Ward 04

3730 North Alpine Road

GPM Midwest LLC d/b/a Road Ranger #5208

Sale of packaged liquor in conjunction with a gas station and convenience store
Sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

The subject property is located on the south side of Siseman Road and on the west side of North Alpine Road. This item was discussed as part of the six applications submitted by GPM Midwest LLC for the Road Ranger properties.

Staff Recommendation is for Approval with (12) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store and to **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in the name of GPM Midwest LLC d/b/a Road Ranger #5208 in a C-3, General Commercial Zoning District at 3730 North Alpine Road with modification to condition 10 and the addition of conditions 13 and 14. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building, fire, liquor and tobacco codes.
2. The sale of liquor and tobacco products shall be limited to the submitted interior floor plan Exhibit E.
3. The sale of liquor shall be restricted to the hours permitted by the Liquor Ordinance.
4. Inside signage of the convenience store cannot exceed more than 20% of the window surface.
5. Any window signage at the car wash shall only advertise car wash related items and the advertisement of liquor and tobacco in the window shall be prohibited.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
7. The sale of rose tubes, airplane-sized bottles and any other projects that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
8. That the windows shall not be covered with bars or other devices that block the windows.
9. There shall be no single service sales of beer or wine in volumes of 12 ounces or less.
10. Removal of the non-conforming free-standing sign and submittal of a sign permit for new landmark style sign within 9 months of establishment of use..
11. Maintenance of the landscaping area and the adjacent green area next to the residential uses must be free of debris/garbage.
12. Installation of shade trees along both street frontages to meet the Ordinance.
13. Condition 10 must be met within 9 months of establishment of use.
14. All other conditions must be met prior to establishment of use.

015-LTAB-007

Applicant
Ward 10

5330 East State Street

GPM Midwest, LLC d/b/a Road Ranger #5202

Sale of packaged liquor in conjunction with a gas station and convenience store
Sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

The subject property is located on the northwest corner of East State Street and New Towne Drive intersection.

Staff Recommendation is for Approval of both requests, with 11 conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store and to **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in the name of GPM Midwest, LLC d/b/a Road Ranger #5202 in a C-3, General Commercial Zoning District at 5330 East State Street with modification to condition 9 and the addition of conditions 12 and 13. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building, fire, liquor and tobacco codes.
2. The sale of liquor and tobacco products shall be limited to the submitted interior floor plan Exhibit E.
3. The sale of liquor shall be restricted to the hours permitted by the Liquor Ordinance.
4. Inside signage of the convenience store cannot exceed more than 20% of the window surface.
5. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
6. The sale of rose tubes, airp0lne-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. That the windows shall not be covered with bars or other devices that block the windows.
8. There shall be no single serving sales of beer or wine in volumes of 12 ounces or less.
9. Removal of the non-conforming free-standing sign and submittal of a sign permit for new landmark style sign within 9 months of establishment of use.
10. Maintenance of the landscaping area and the adjacent green area must be free of debris/garbage.
11. Installation of shade trees along both street frontages to meet the Ordinance.
12. Condition 9 must be met within 9 months of establishment of use.
13. All other conditions must be met prior to establishment of use.

015-LTAB-008

Applicant
Ward 01

172 South Bell School Road

GPM Midwest, LLC d/b/a Road Ranger #5201

Sale of packaged liquor in conjunction with a gas station and convenience store
Sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

The subject property is located on the southeast corner of South Bell School Road and East State Street.

Staff Recommendation is for Approval subject with (11) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store and to **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in the name of GPM Midwest, LLC d/b/a Road Ranger #5201 in a C-3, General Commercial Zoning District at 172 South Bell School Road with modification to condition 9 and

the addition of conditions 12 and 13. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building, fire, liquor and tobacco codes.
2. The sale of liquor and tobacco products shall be limited to the submitted interior floor plan Exhibit E.
3. The sale of liquor shall be restricted to the hours permitted by the Liquor Ordinance.
4. Inside signage of the convenience store cannot exceed more than 20% of the window surface.
5. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. That the windows shall not be covered with bars or other devices that block the windows.
8. There shall be no single serving sales of beer or wine in volumes of 12 ounces or less.
9. Removal of the non-conforming free-standing sign and submittal of a sign permit for new landmark style sign within 9 months of establishment of use.
10. Maintenance of the landscaping area and grounds must be free of debris/garbage. Add additional shade trees along South Bell School Road and Walton Road to meet the ordinance.
11. Removal of salt bags with wooden pallets along the front yard on South Bell School Road.
12. Condition 9 must be met within 9 months of establishment of use.
13. All other conditions must be met prior to establishment of use.

015-LTAB-009

Applicant
Ward 09

3135 North Rockton Avenue

Gurinder & Rajwant Kullar of GP Petroleum, Inc. d/b/a GP Petroleum, Inc.
Sale of tobacco products in conjunction with a gas station and convenience store in a C-2, Limited Commercial Zoning District

The subject property is located on the northeast corner of the North Rockton Avenue and Paradise Boulevard intersection. Attorney Charles Prorok, representing the Applicant and Gurinder Kullar, Applicant were present. Attorney Prorok reviewed the request for sale of tobacco. Attorney Hammer asked if the Applicants were agreeable to Staff recommended conditions of approval and the response was that they were agreeable.

Staff Recommendation is for Approval with 9 conditions.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in the name of GP Petroleum Inc. d/b/a GP Petroleum, Inc. in a C-2, Limited Commercial Zoning District at 3135 North Rockton Avenue. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. The sale of tobacco products shall be limited to the revised interior floor plan that will be submitted for Staff review and approval.
4. The hours of operation and days for the gas station and convenience store will be 5:30 AM to 11:00 PM Monday through Sunday.
5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
6. That the windows shall not be covered with bars or other devices that block the window.
7. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
8. Window display signage is limited to 20% of window area.
9. All conditions must be met prior to establishment of use.

015-LTAB-010

Applicant
Ward 14

4545 Sandy Hollow Road

SM Angels, Inc. d/b/a Sandy Phillips 66

Sale of beer and wine in conjunction with a gas station and convenience store
Sale of tobacco products in conjunction with a gas station and convenience store in a C-2, Limited Commercial Zoning District and I-1, Light Industrial Zoning District

Shantilal Patel, Applicant, reviewed his request for sale of beer and wine and tobacco. Mr. Patel stated he could not agree to conditions 9 and 10 regarding new signage and additional landscaping because he is not the owner of the property and cannot speak for him. However, he stated he is willing to work with the owner to meet those conditions within 9 months.

Staff Recommendation is for Approval of both requests with (10) conditions. No Objectors or Supporters were present.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of beer and wine in conjunction with a gas station and convenience store and to **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in the name of SM Angels, Inc. d/b/a Sandy Phillips 66 in a C-2, Limited Commercial Zoning District and I-1, Light Industrial Zoning District with modifications to condition 9 and the addition of condition 11, at 4545 Sandy Hollow Road. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building, fire, liquor and tobacco codes.
2. The sale of liquor and tobacco products shall be limited to the submitted interior floor plan Exhibit E.
3. The sale of liquor shall be restricted to the hours permitted by the Liquor Ordinance.
4. Inside signage cannot exceed more than 20% of the window surface.
5. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. That the windows shall not be covered with bars or other devices that block the windows.
8. There shall be no single serving sales of beer or wine in volumes of 12 ounces or less.
9. Removal of the non-conforming free-standing sign and submittal of a sign permit for new landmark style sign within 9 months of establishment of use.
10. Maintenance of the landscaping area and adding additional shade trees along both street frontages to meet the landscaping ordinance.
11. Condition 9 must be met within 9 months of establishment of use.
12. All other conditions must be met prior to establishment of use.

With no further business to report, the meeting was adjourned at 7:23 PM

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor & Tobacco Advisory Board